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Order 2002-8-28
Served: September 3, 2002

**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Issued by the Department of Transportation
on the 28th day of August, 2002

Essential Air Service at

**ELFIN COVE, ALASKA
PELICAN, ALASKA**

Under 49 U.S.C. 41731 *et seq.*

Docket OST-2002-11586 - 8

ORDER EXTENDING SERVICE OBLIGATION

Summary

By this order, the Department is extending Alaska Seaplane's service obligation at Elfin Cove and Pelican, AK, for an additional 30 days, through October 15, 2002.¹

Background

On February 13, 2002, Alaska Seaplane Service, LLC (Alaska Seaplane), filed a 90-day notice of its intent to suspend its unsubsidized service at Elfin Cove and Pelican, Alaska, effective on or about May 13, 2002. By Order 2002-5-13, May 14, 2002, the Department prohibited the carrier from suspending service at the communities for an initial 30-day period, through June 13, 2002, and requested proposals, with subsidy if necessary, from carriers interested in providing replacement service. As required by 49 U.S.C. 41734, we have extended Alaska Seaplane's service obligation for additional 30-day periods, the latest through September 13, 2002, by Order 2002-8-11.

Alaska Seaplane has submitted a proposal and we set an interim subsidy rate of \$59,066 by Order 2002-7-33. However, this case will not be completed before the end of the current hold-in period, and, as required by 49 U.S.C. 41734, we must continue to hold Alaska Seaplane in for an additional 30-day period.

This order is issued under authority assigned in 14 CFR 385.12(k)(5).

¹ Since October 13th is a Sunday and the 14th is a holiday, this hold-in period will end in Tuesday, October 15th. (See 14 CFR 302.08)

ACCORDINGLY,

1. The Department requires Alaska Seaplane Service, LLC, to maintain essential air service at Elfin Cove and Pelican, Alaska, as described in ordering paragraph 2 of Order 2002-5-13, for an additional 30-day period, through October 15, 2002, or until a carrier capable of providing reliable replacement service actually begins, whichever occurs first;²
2. The Department directs Alaska Seaplane to retain all books, records, and other source and summary documents to support subsidy claims for payment and to preserve and maintain such documentation in a manner that readily permits its audit and examination by representatives of the Department. Such documentation shall be retained for seven years or until the Department indicates that the records may be destroyed. Copies of flight logs for aircraft sold or disposed of must be retained. The carrier may forfeit its compensation for any claim that is not supported under the terms of this order;
3. Docket OST-2002-11586 will remain open until further order of the Department; and
4. The Department will serve copies of this order on the Mayors and Airport Managers of Elfin Cove and Pelican, the State of Alaska and Alaska Seaplane Service, LLC.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.50, must file such petitions within ten days after the date of service of this order.

This order will be effective immediately, and the filing of a petition for review shall not preclude its effectiveness.

By:

RANDALL D. BENNETT
Director
Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at
<http://dms.dot.gov>*

² In accordance with 49 U.S.C. 41734(c), we will extend Alaska Seaplane's service obligation for successive 30-day periods as necessary until replacement service actually begins.